



PTO/SB/30(09-04) 2063

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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FOR  
**CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/293,009
Filing Date	April 16, 1999
First Named Inventor	Erik K. Vallone
Group Art Unit	2663
Examiner Name	DUONG, Duc
Attorney Docket Number	061607-1 020

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**This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously Submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s) reply under 37 CFR 1.116 previously filed on
- ii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).
- b. ☐ Other:
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 16-0255.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other:
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print Type)	<b>Karen G. Hazzah</b>	Registration No. (Attorney/Agent)	<b>48,472</b>
Signature	<i>Karen G. Hazzah</i>	Date	<i>Oct 23 Nov 3, 2004</i>

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	<b>Belinda K. Weiss</b>	Date	<i>November 4, 2004</i>
Signature	<i>Belinda K. Weiss</i>		

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1455, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**AMENDMENT TRANSMITTAL LETTER (LARGE)**Applicant(s): **Vallone et al.**

Docket No.

**061607-1020**Serial No.  
**09/293,009**Filing Date  
**April 16, 1999**Examiner  
**DUONG, Duc T.**Confirmation No.  
**4296**Group Art Unit  
**2663**Invention: **System and Method for the Collection and Display of Network Performance Data in a Communication Network****RECEIVED**Commissioner for Patents  
Mail Stop Amendment  
P.O. Box 1450  
Alexandria VA 22313-1450**NOV 12 2004****Technology Center 2600**

Transmitted herewith is Sixth Response (with Amendments) in the above-identified application.

The fee has been calculated and is transmitted as shown below

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE		ADDITIONAL FEE
TOTAL CLAIMS	45 -	19 =	26	X	\$18.00	\$ 468.00
INDEP. CLAIMS	8 -	4 =	4	X	\$88.00	\$ 352.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						\$150.00
EXTENSION FEE	1 <sup>ST</sup> MONTH <input type="checkbox"/> \$55.00	2 <sup>ND</sup> MONTH <input type="checkbox"/> \$215.00	3 <sup>RD</sup> MONTH <input type="checkbox"/> \$490.00	4 <sup>TH</sup> MONTH <input type="checkbox"/> \$765.00		
Other Fees: Request for Continued Examination (RCE)						\$ 790.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$1,610.00

- ☐ No additional fee is required.
- ☒ Please charge Deposit Account No. 16-0255 in the amount of \$1,610.00.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed. A duplicate copy of this page is enclosed.
- ☐ A Credit Card Payment Form PTO-2038 is attached in the amount of \$ \_\_\_\_\_
- ☒ The Director is hereby authorized to charge any deficiencies of the above fees or credit any overpayment to Deposit Account No. 16-0255.

**Karen G. Hazzah, Reg. No. 48,472****Nov. 3, 2004**

Date